

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed 02/12/2010 and 02/16/2010 has been entered.

Information Disclosure Statement

2. Information Disclosure Statements filed 02/12/2010 and 02/16/2010 have been considered by the examiner.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert B. Levy on 11/05/2009.

The application has been amended as follows:

In the claims:

Cancel claims 23 and 25-27.

Terminal Disclaimer

4. The terminal disclaimer filed on 11/18/2009 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Application No. 10/556,833 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Amendment

5. Applicant's amendment filed 07/15/2009 has been entered and made of record. Claims 23 and 25-27 were cancelled by examiner's amendment as mentioned above in paragraph 1. Claim 24 was cancelled by applicant as amendment filed 05/20/2009. Claims 1-22 are pending currently in the application. Claims 18-22 were allowed in the previous Office action mailed 02/20/2009.

Response to Arguments

6. In response to applicant's persuasive arguments (see page 7 of the remarks filed 07/15/2009) with respect to the rejection of claims 1-17 under 35 USC 101, the 101 rejection of claims 1-17 has been withdrawn. Furthermore, the cancellation of claims 23 and 25-27 obviates the rejections under 35 USC 101, 35 USC 112 second paragraph and 35 USC 102(b).

Allowable Subject Matter

7. The following is an examiner's statement of reasons for allowance:

Claims 1-22 are allowed.

In response to applicant's persuasive arguments (see page 7 of the remarks filed 07/15/2009) with respect to the rejection of claims 1-17 under 35 USC 101, the 101 rejection of claims 1-17 has been withdrawn and therefore all the pending claims 1-22 are allowed now.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kanji Patel whose telephone number is (571) 272-7454. The examiner can normally be reached on Monday to Thursday from 8 a.m. to 6:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed can be reached on (571) 272-7413. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

Art Unit: 2624

for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/ Kanji Patel/

Primary Examiner, Art Unit 2624